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Docket No.: 09600-00031-US

Application No. 10/538,223
Amendment dated November 24, 2008
Reply to Office Action of August 22, 2008

AMENDMENTS TO THE CLAIMS

This Listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claims 1 and 2 (Canceled).

3. (Previously presented) The method of Claim 10, wherein the surgical procedure is an elective surgical procedure or an emergency surgical procedure.
4. (Previously presented) The method according to Claim 3, wherein the elective surgical procedure is a gastrointestinal procedure, heart surgery, nose and throat surgery, an abdominal procedure, vascular or joint surgery, or transplantations.
5. (Previously presented) The method of Claim 3, wherein the emergency surgical procedure is trauma surgery or procedures for clearing up a septic focus.
6. (Previously presented) The method of Claim 10, wherein the green tea extract includes theanine and polyphenols derived from catechin derivatives.
7. (Previously presented) The method of Claim 6, wherein the catechin derivatives are selected from the group consisting of (-)-epigallocatechin gallate (EGCg), (-)-epigallocatechin (EGG), (-)-epicatechin gallate (ECg), (+)-gallocatechin (GC), (-)-epicatechin (EC), (+)-catechin (C) and combinations of two or more constituents thereof.
8. (Cancelled)
9. (Previously presented) The method of claim 10, wherein said composition further comprises as component c) glycine, a glycine precursor in the form of a di- or tripeptide, or the physiologically tolerated salts thereof or combinations thereof.

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10. (Previously presented) A method for averting or reducing the risk of postoperative ischemia-reperfusion injury comprising the step of gastrointestinally administering to a surgical patient a composition comprising

- a) green tea extract and
- b) at least one NO donor which is a substrate of NO synthetase, or a precursor of this NO donor, wherein said NO donor and precursor are selected from the group consisting of glutamine, and precursors of glutamine in the form of a di- or tripeptide containing glutamine, or the physiologically tolerated salts or combinations thereof, and

wherein administration of the composition takes place less than twenty-four hours before a surgical procedure.

Claims 11-15. (Cancelled)

16. (Currently amended) A formulation for gastrointestinal administration to a surgical patient before surgical procedures to reduce the risk of postoperative ischemia-reperfusion injury or to avert such a risk comprising a composition comprising

- a) green tea extract and
- b) 0.1 – 150 grams/1,000 ml of said formulation of at least one NO donor

which is a substrate of NO synthetase, or a precursor of this NO donor, wherein said NO donor and precursor are selected from the group consisting of glutamine, and precursors of glutamine in the form of a di- or tripeptide containing glutamine, or the physiologically tolerated salts or combinations thereof.

17. (Cancelled)

18. (Previously presented) The formulation of Claim 16, wherein the green tea extract includes theanine and polyphenols derived from catechin derivatives.

19. (Previously presented) The formulation of Claim 18, wherein the catechin derivatives are selected from the group consisting of (-)-epigallocatechin gallate (EGCg), (-)-epigallocatechin

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(EGG), (-)-epicatechin gallate (ECg), (+)-gallocatechin (GC), (-)-epicatechin (EC), (+)-catechin (C) and combinations of two or more constituents thereof.

20. (Cancelled)

21. (Previously presented) The formulation of Claim 16, wherein said composition further comprises as component c) glycine, a glycine precursor in the form of a di- or tripeptide, or the physiologically tolerated salts thereof or combinations thereof.

Claims 22-24 (cancelled)

25. (Previously presented) A method for averting or reducing the risk of postoperative ischemia-reperfusion injury comprising the step of gastrointestinally administering to a surgical patient a composition comprising

- a) green tea extract and
- b) glutamine,

wherein administration of the composition takes place less than twenty-four hours before a surgical procedure.

26. (Previously presented) The formulation of claim 16, wherein said component b) is glutamine.

27. (New) The formulation of claim 16, wherein said component b) is at least one precursor of glutamine in the form of a di- or tripeptide containing glutamine, or the physiologically tolerated salts or combinations thereof.

28. (New) The formulation of claim 16, wherein said composition comprises 0.01 – 2.0 grams/1,000 ml of said formulation of component a) green tea extract.

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29. (New) The formulation of claim 16, wherein said composition comprises 0.1 – 30 grams/1,000 ml of said formulation of component b) at least one NO donor.

30. (New) The method of claim 10, wherein said composition is administered to said surgical patient less than twelve hours before a surgical procedure.

31. (New) The method of claim 10, wherein said composition is administered to said surgical patient less than six hours before a surgical procedure.

32. (New) the method of claim 10, wherein said composition is administered to said surgical patient less than three hours before a surgical procedure.

33. (New) The method of claim 10, wherein component b) is at least one precursor of glutamine in the form of a di- or tripeptide containing glutamine, or the physiologically tolerated salts or combinations thereof.